

## CHAPTER 354

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**PROFESSIONS AND OCCUPATIONS**

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SENATE BILL 17-187

BY SENATOR(S) Crowder, Coram, Holbert;  
also REPRESENTATIVE(S) Ginal, Garnett, Hansen, Valdez.**AN ACT****CONCERNING THE AUTHORITY FOR AN EXEMPTION TO THE RESIDENCY REQUIREMENT FOR EDUCATION-RELATED MARIJUANA OCCUPATIONAL LICENSES, AND, IN CONNECTION THEREWITH, MAKING AN APPROPRIATION.***Be it enacted by the General Assembly of the State of Colorado:***SECTION 1.** In Colorado Revised Statutes, 12-43.3-104, **amend** the introductory portion; and **add** (6.5) as follows:**12-43.3-104. Definitions.** As used in this ~~article~~ ARTICLE 43.3, unless the context otherwise requires:

(6.5) "MARIJUANA-BASED WORKFORCE DEVELOPMENT OR TRAINING PROGRAM" MEANS A PROGRAM DESIGNED TO TRAIN INDIVIDUALS TO WORK IN THE LEGAL MEDICAL MARIJUANA INDUSTRY OPERATED BY AN ENTITY LICENSED UNDER THIS ARTICLE 43.3 OR BY A SCHOOL THAT IS AUTHORIZED BY THE DIVISION OF PRIVATE OCCUPATIONAL SCHOOLS.

**SECTION 2.** In Colorado Revised Statutes, 12-43.3-401, **amend** (1) introductory portion and (1)(d) as follows:**12-43.3-401. Classes of licenses.** (1) For the purpose of regulating the cultivation, manufacture, distribution, and sale of medical marijuana, the state licensing authority in its discretion, upon application in the prescribed form made to it, may issue and grant to the applicant a license from any of the following classes, subject to the provisions and restrictions provided by this ~~article~~ ARTICLE 43.3:

(d) Occupational licenses and registrations for owners, managers, operators,

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*Capital letters indicate new material added to existing statutes; dashes through words indicate deletions from existing statutes and such material not part of act.*

employees, contractors, and other support staff employed by, working in, or having access to restricted areas of the licensed premises, as determined by the state licensing authority. UPON RECEIPT OF AN AFFIRMATION UNDER PENALTY OF PERJURY THAT THE APPLICANT IS ENROLLED IN A MARIJUANA-BASED WORKFORCE DEVELOPMENT OR TRAINING PROGRAM OPERATED BY AN ENTITY LICENSED UNDER THIS ARTICLE 43.3 OR BY A SCHOOL THAT IS AUTHORIZED BY THE DIVISION OF PRIVATE OCCUPATIONAL SCHOOLS IN COLORADO THAT WILL REQUIRE ACCESS OR EMPLOYMENT WITHIN A PREMISES LICENSED PURSUANT TO THIS ARTICLE 43.3 OR ARTICLE 43.4 OF THIS TITLE 12, THE STATE LICENSING AUTHORITY MAY EXEMPT FOR UP TO TWO YEARS BASED ON THE LENGTH OF THE PROGRAM THE RESIDENCY REQUIREMENT IN SECTION 12-43.3-310 (6) FOR A PERSON APPLYING FOR AN OCCUPATIONAL LICENSE FOR PARTICIPATION IN A MARIJUANA-BASED WORKFORCE DEVELOPMENT OR TRAINING PROGRAM. The state licensing authority may take any action with respect to a registration pursuant to this ~~article~~ ARTICLE 43.3 as it may with respect to a license pursuant to this ~~article~~ ARTICLE 43.3, in accordance with the procedures established pursuant to this ~~article~~ ARTICLE 43.3.

**SECTION 3.** In Colorado Revised Statutes, 12-43.4-103, **amend** the introductory portion; and **add** (9.5) as follows:

**12-43.4-103. Definitions.** As used in this ~~article~~ ARTICLE 43.4, unless the context otherwise requires:

(9.5) "MARIJUANA-BASED WORKFORCE DEVELOPMENT OR TRAINING PROGRAM" MEANS A PROGRAM DESIGNED TO TRAIN INDIVIDUALS TO WORK IN THE LICENSED RETAIL MARIJUANA INDUSTRY OPERATED BY AN ENTITY LICENSED UNDER THIS ARTICLE 43.4 OR BY A SCHOOL THAT IS AUTHORIZED BY THE DIVISION OF PRIVATE OCCUPATIONAL SCHOOLS.

**SECTION 4.** In Colorado Revised Statutes, 12-43.4-401, **amend** (1) introductory portion and (1)(e) as follows:

**12-43.4-401. Classes of licenses.** (1) For the purpose of regulating the cultivation, manufacture, distribution, sale, and testing of retail marijuana and retail marijuana products, the state licensing authority in its discretion, upon receipt of an application in the prescribed form, may issue and grant to the applicant a license from any of the following classes, subject to the provisions and restrictions provided by this ~~article~~ ARTICLE 43.4:

(e) Occupational licenses and registrations for owners, managers, operators, employees, contractors, and other support staff employed by, working in, or having access to restricted areas of the licensed premises, as determined by the state licensing authority. UPON RECEIPT OF AN AFFIRMATION UNDER PENALTY OF PERJURY THAT THE APPLICANT IS ENROLLED IN A MARIJUANA-BASED WORKFORCE DEVELOPMENT OR TRAINING PROGRAM OPERATED BY AN ENTITY LICENSED UNDER THIS ARTICLE 43.4 OR BY A SCHOOL THAT IS AUTHORIZED BY THE DIVISION OF PRIVATE OCCUPATIONAL SCHOOLS IN COLORADO THAT WILL REQUIRE ACCESS OR EMPLOYMENT WITHIN A PREMISES LICENSED PURSUANT TO THIS ARTICLE 43.4 OR ARTICLE 43.3 OF THIS TITLE 12, THE STATE LICENSING AUTHORITY MAY EXEMPT FOR UP TO TWO YEARS BASED ON THE LENGTH OF THE PROGRAM THE RESIDENCY REQUIREMENT IN SECTION 12-43.4-309 (5) FOR A PERSON APPLYING FOR AN

OCCUPATIONAL LICENSE FOR PARTICIPATION IN A MARIJUANA-BASED WORKFORCE DEVELOPMENT OR TRAINING PROGRAM. The state licensing authority may take any action with respect to a registration pursuant to this ~~article~~ ARTICLE 43.4 as it may with respect to a license pursuant to this ~~article~~ ARTICLE 43.4, in accordance with the procedures established pursuant to this ~~article~~ ARTICLE 43.4.

**SECTION 5. Appropriation.** (1) For the 2017-18 state fiscal year, \$1,159 is appropriated to the department of revenue. This appropriation is from the marijuana cash fund created in section 12-43.3-501 (1)(a), C.R.S. To implement this act, the department may use this appropriation for the purchase of criminal history record checks.

(2) For the 2017-18 state fiscal year, \$1,159 is appropriated to the department of public safety for use by the biometric identification and records unit. This appropriation is from reappropriated funds received from the department of revenue under subsection (1) of this section. To implement this act, the unit may use this appropriation to provide criminal history record checks for the department of revenue.

**SECTION 6. Act subject to petition - effective date.** This act takes effect at 12:01 a.m. on the day following the expiration of the ninety-day period after final adjournment of the general assembly (August 9, 2017, if adjournment sine die is on May 10, 2017); except that, if a referendum petition is filed pursuant to section 1 (3) of article V of the state constitution against this act or an item, section, or part of this act within such period, then the act, item, section, or part will not take effect unless approved by the people at the general election to be held in November 2018 and, in such case, will take effect on the date of the official declaration of the vote thereon by the governor.

Approved: June 5, 2017